

ORDINANCE 0-03-06
Code of the Town of Cheverly

An Ordinance whereby the Mayor and Council increase the administrative fees for special trash pickup when there are numerous items or an item weighing more than 50 pounds.

WHEREAS, Article VII, Section C-23A(14) of the Charter of the Town of Cheverly grants to the Mayor and Town Council the power to regulate trash removal; and

WHEREAS, the Mayor and Town Council deem it appropriate to amend the Town Code to allow the town to assess administration fees for trash weighing more than 50 pounds for more than 3 items; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council, in regular session assembled, that Section 10-8 of the Cheverly Code be reenacted with amendments as follows:

Sec. 10-8. Special trash collections.

Household items, other than regular garbage and rubbish, not including construction materials and debris from lot clearance, shall be collected on a regular basis, as established by the mayor and town council, from each single-family dwelling within the town in accordance with the following regulations and such other regulations and procedures formulated by the town administrator:

- (a) Items to be collected shall be placed at the curblineline or property line, easily accessible from the street, prior to 7:00 a.m. on the scheduled collection day, but not prior to 7:00 p.m. of the preceding day.
- (b) Tree limbs, brush, trimmings, etc., shall be no more than four (4) feet in length and must be securely bundled or tied.
- (c) All other loose materials shall be placed in cartons or containers which, when filled, do not exceed fifty (50) pounds in weight.
- (d) Not more than one major appliance, such as refrigerators, stoves, washing machines or furniture, shall be collected from each residence.
- (e) The town shall assess an administrative fee for each appliance which the town collects if the appliance contains a hazardous substance as defined by the Environmental Protection Agency of the United States Government. The amount of the administrative fee shall be the amount the town must pay to dispose of this item, so long as the fee does not exceed one hundred fifty dollars (\$150.00) per item. The town administrator shall provide for procedures for notifying the resident and owner of the property from which the appliance is collected regarding the administrative fee and for collecting this fee. After due notice to the resident and/or the owner of the property, if

the fee remains unpaid for three (3) business days from the date the notice is sent, the town administrator may place a lien against the owner of such real property for such cost and shall notify the owner of such lien. Unless the resident or owner shows cause in writing to the town administrator within five (5) working days of the date of such notice, the town administrator shall proceed to collect the fee by entering the charge on the tax records of

the real property from which the appliance was collected as a tax upon that real property or by suit if deemed necessary, or both.

(F) IN ADDITION TO THE ABOVE THE TOWN MAY ASSESS ADMINISTRATIVE FEES AS FOLLOWS FOR OTHERWISE ALLOWABLE SPECIAL TRASH COLLECTIONS:

(1) \$100 PER ITEM OVER THE ALLOWED NUMBER OF ITEMS FOR BULK TRASH. (CURRENTLY THREE (3) ITEMS ARE ALLOWED.)

(2) FOR ANY ITEMS OR ITEMS WEIGHING MORE THAN FIFTY (50) POUNDS, \$100 FOR EVERY TWENTY (20) POUNDS OR FRACTION THEREOF IN EXCESS OF THE FIFTY (50) POUND LIMIT.

(G) IT SHALL BE A VIOLATION OF THIS CODE TO PLACE, FOR REGULAR OR SPECIAL TRASH COLLECTION, ANY AUTOMOTIVE PARTS OR ANY CONSTRUCTION MATERIALS OR DEBRIS WHETHER FROM CONSTRUCTION OR REMODELING, WHETHER DONE BY AN OWNER/OCCUPANT OR BY CONTRACTOR.

AND BE IT FURTHER ORDAINED that if any provision of this Ordinance or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other applications of the Ordinance which can be given effect without the invalid provision or applications, and to this end, all the provisions of this Ordinance are hereby declared to be severable.

AND BE IT FURTHER ORDAINED that this Ordinance shall take effect thirty (30) days from the date of its adoption; provided, however that a fair summary of the Ordinance is published at least once in a newspaper of general circulation in the Town of Cheverly.

INTRODUCED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on October 12, 2005, at which meeting copies were available to the public for inspection.

ADOPTED by the Mayor and Town Council of the Town of Cheverly, Maryland, at a regular meeting on December 13, 2005, at which meeting copies were available to the public for inspection.